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Security Council

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Letter dated 11 October 2018 from the Permanent Representative of Namibia to the United Nations addressed to the President of the Security Council

I should be grateful if the present letter and its annex could be issued as a document of the Security Council:

- Letter from Sidi Omar, Representative of the Frente POLISARIO at the United Nations

(*Signed*) Neville **Gertze**
Ambassador
Permanent Representative

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Annex to the letter dated 11 October 2018 from the Permanent Representative of Namibia to the United Nations addressed to the President of the Security Council

The Frente POLISARIO takes note of the report of the Secretary-General (S/2018/889) on the situation concerning Western Sahara, submitted to the Security Council on 3 October 2018, and would like to bring to the attention of the members of the Security Council our views regarding several elements contained in the report.

First, we would like to reiterate our full cooperation with the Secretary-General's efforts. We are encouraged by the commendable efforts of the Personal Envoy of the Secretary-General for Western Sahara, Horst Köhler, to relaunch the negotiating process between the two parties to the conflict, the Frente POLISARIO and Morocco. We, the Frente POLISARIO, have officially accepted the invitation of the Personal Envoy for the initial round-table meeting scheduled to take place in Geneva in early December 2018, and we stand ready to engage in direct negotiations in good faith and without preconditions with Morocco under the auspices of the United Nations and in line with the relevant Security Council resolutions, including resolution 2414 (2018).

As the Secretary-General stated in his report, we believe that the role of the United Nations Mission for the Referendum in Western Sahara (MINURSO) "is predicated on its ability to impartially and independently fulfil the mandate set forth by the Security Council" (para. 80). We therefore urge the Security Council to address the long-standing issues that continue to seriously undermine the credibility, impartiality and independence of the Mission. This includes taking the steps necessary to resolve the following issues, as outlined in the Secretary-General's report:

- **Unacceptable status quo**. Paragraph 56 acknowledges that "the Mission's lack of access to interlocutors continues to limit its ability to form an independent assessment of the situation in Western Sahara west of the berm". This situation is exacerbated by the fact that MINURSO vehicles are forced to bear Moroccan number plates and that Morocco continues to affix Moroccan stamps on the passports of MINURSO personnel upon their entry to and exit from Western Sahara. These actions are indicative of an unacceptable state of affairs that undermines the impartiality, independence and credibility of MINURSO and the United Nations itself.

- **Tackling the root causes of the crisis**. Paragraph 8 refers to paragraph 9 of Security Council resolution 2414 (2018), which calls upon the Secretary-General to seek to better understand the "fundamental questions related to the ceasefire and related agreements". We must underscore that such fundamental questions remain unanswered precisely because the underlying causes of the tension in the buffer strip in Guerguerat have not been resolved. In this regard, the Frente POLISARIO firmly believes that addressing the situation effectively requires a comprehensive approach that examines and tackles the underlying causes of the crisis and its implications for the existing military agreements that sustain the status quo in the Territory and the United Nations political process as a whole.

- **Illegal attempts to normalize occupation**. We are deeply concerned by the illegal attempts to "normalize" the occupation and illegal annexation of Western Sahara by Morocco, where the annexationist practices of the occupying power seem to raise no questions as to their legality and consequences. Morocco's persistent attempts to use the Mission as a tool to legitimize its illegal claims of militarily imposed sovereignty on our country have reached outrageous

proportions, and they must be confronted robustly for the sake of peace and security in the region. The Frente POLISARIO once again calls upon the Security Council to uphold clearly and forcefully the legal status of Western Sahara, as a Non-Self-Governing Territory, to preserve its territorial integrity pending a definitive solution to the conflict and to guarantee that MINURSO operates in line with the basic standards and general principles applicable to United Nations peacekeeping operations.

- **Constructive relationship with the Special Representative for Western Sahara**. We would like to emphasize that the relationship and interaction between MINURSO, including with the Special Representative for Western Sahara and Head of the United Nations Mission for the Referendum in Western Sahara, Colin Stewart, and the Frente POLISARIO continue at multiple levels and we are committed to continuing our full and constructive cooperation with the Special Representative. In addition to the meeting between the Special Representative and the Sahrawi Coordinator with MINURSO, Mhamed Khadad, I met the Special Representative at the United Nations as recently as 8 October 2018. Indeed, had it not been for the full and constructive interaction between the Frente POLISARIO and the Special Representative, it would have been impossible to address some of the major outstanding issues.

We would also like to underscore that our position on meeting the Special Representative is forged on a sound legal basis. The definition of the mission area of MINURSO is clearly established by the relevant agreements accepted by both parties and approved by the Security Council, which includes mainly the Territory of Western Sahara within its internationally recognized borders. For this reason, the Special Representative and Head of Mission, and other senior officials of the Mission, should be able to meet with the Frente POLISARIO at any location within the boundaries of the Territory. Furthermore, the notion that the Frente POLISARIO cannot meet with MINURSO leadership in our own Territory, over which the United Nations does not recognize any de jure or de facto Moroccan sovereignty, is excessive and dangerous.

We are at an important moment in history. We are hopeful that the proposed meeting in Geneva will mark the beginning of a sustained, substantive and purposeful process of serious and direct negotiations between the two parties with a view to achieving a just, peaceful and lasting solution, which ensures the inalienable right of our people to self-determination and contributes to restoring regional peace and security. It is critical that all Member States do their utmost to ensure that these talks succeed, and that our people have the outcome they so rightly deserve.

I would be most grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) Sidi M. **Omar**
Representative of the Frente POLISARIO
at the United Nations